

This Indenture, Made this fourteenth day of April in the year of our Lord one thousand eight hundred and ninety four between Charles C. Roy and Julia H. Roy husband and wife of Lafayette in the County of Douglas and State of Kansas of the first part, and Nathan J. Roy, Tabitha E. Badsky and Martha J. Dodder of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Two hundred and twenty six and $\frac{53}{100}$ DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have sold and by these presents do grant, bargain, sell and mortgage to the said parties of the second part their heirs and assigns forever, all that tract or parcel of land situated in the County of Douglas and State of Kansas, described as follows, to-wit: An undivided one sixth (1/6) in the East one half (1/2) of the north west quarter (1/4) and the north west quarter (1/4) of the north west quarter (1/4) of Section five (5) in Township fifteen (15) of Range eighteen (18) the same being the interest as heirs and assigns of said parties of the first part in the estates of Theophilus Roy and Lydia H. Roy both deceased, together with

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said Charles C. Roy and Julia H. Roy parties of the first part do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted, and seized of a good and indefeasible estate of inheritance therein free and clear of all incumbrances. In case said property should be sold and not bring enough to pay the full amount of said notes, the amount realized on such sale to be divided pro-rata among the said payees of said notes, none to be preferred over the other.

This grant is intended as a Mortgage to secure the payment of the sum of Two hundred and twenty six and $\frac{53}{100}$ Dollars (\$226.53) according to the terms of three certain promissory notes this day executed and delivered by the said parties of the first part to the said parties of the second part: to wit, one for \$865 to Martha J. Dodder, one for \$795 to Tabitha E. Badsky and one for \$795 to Nathan J. Roy, all payable one day after date and it is hereby agreed that all of said notes shall be pro-rated evenly out of proceeds of said property and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payment, or any part thereof, or interest thereon, or the taxes, or if the insurance is not kept up thereon, then this conveyance shall become absolute, and the whole amount shall become due and payable, and it shall be lawful for the said parties of the second part their executors, administrators and assigns, at any time thereafter, to sell the premises hereby granted, or any part thereof, in the manner prescribed by law, appraisement hereby waived or not at the option of the part of the second part executors, administrators and assigns; and out of all the moneys arising from such sales, to retain the amount then due for principal and interest, together with the costs and charges of making such sales, and the overplus, if any there be, shall be paid by the parties making such sale on demand to the said parties of the first part, their heirs and assigns.

In Witness Whereof, The said parties of the first part, have hereunto set their hands and seals the day and year first above written.

Signed and delivered in presence of

Charles C. Roy (SEAL.)
Julia H. Roy (SEAL.)
(SEAL.)
(SEAL.)

STATE OF KANSAS,
County of Osage } ss.

Be it Remembered, That on this 19 day of April, A. D. 1894, before me E. J. Kilkey, a Notary Public in and for said County and State, came Charles C. Roy and Julia H. Roy husband and wife to me personally known to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal on the day and year last above written.

My commission expires Dec 5 1897 E. J. Kilkey Notary Public.
Recorded May 19 A. D. 1894, at 39 o'clock P. M.

James Brooks
Register of Deeds

The following is indorsed on the original unrecorded
The note herein described having been paid in full, this mortgage
is hereby released, and the same hereby cancelled, discharged
At witness my hand, this 10th day of March A. D. 1895
Martha J. Dodder,
Tabitha E. Badsky
Nathan J. Roy
Recorded March 18th 1895
Miss Brooks
Register of Deeds

